

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 163

January 24, 2023

SUMMARY OF BILL: Establishes that if a parent or guardian fails to visit or support a child under the age of four for a period of three consecutive months preceding a proceeding to terminate parental rights, or preceding incarceration, it will constitute as abandonment and make the child available for adoption. Requires, when a child is less than four years of age and has resided in a petitioner's home for at least three months, the six-month waiting period to be waived in order to enter an order of adoption.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Tennessee Code Annotated § 36-1-102 currently states that if a parent or guardian fails to visit or support a child of any age for a period of four consecutive months preceding a proceeding to terminate parental rights, or preceding incarceration, it will constitute as abandonment. The proposed legislation changes this threshold to three consecutive months for children under the age of four.
- Altering the definition of abandonment will not have a significant effect on the operations of the Department of Children's Services (DCS).
- Based on information provided by DCS, it is reasonable to assume that the majority of potential adoptive children live in their foster home for more than six months prior to the adoption petition being filed. Therefore, decreasing the residence threshold to three months for a child less than four before an order of adoption is entered is assumed to have no significant impact on DCS.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner".

Krista Lee Carsner, Executive Director

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